

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HOT SPRINGS DIVISION

JUSTIN LINDSEY BURNS

PLAINTIFF

V.

CASE NO. 6:16-CV-06084

RORY GRIFFIN

DEFENDANT

**ORDER**

Before the Court is the Report and Recommendation filed July 28, 2017, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. ECF No. 41. Judge Bryant recommends that Defendant's Motion to Dismiss (ECF No. 20) be granted and that this matter be dismissed without prejudice. The parties have not filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). Upon review, the Court adopts Judge Bryant's Report and Recommendation *in toto*. Accordingly, Defendant's Motion to Dismiss (ECF No. 20) is hereby **GRANTED** and this matter is **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED**, this 21st day of August, 2017.

/s/ Susan O. Hickey  
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Susan O. Hickey  
United States District Judge